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Before the

**House Committee on Foreign Affairs
Subcommittee on Asia, the Pacific and the Global Environment**

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“Smart Power: Remaking U.S. Foreign Policy in North Korea”

Thank you, Chairman Faleomavaega, Ranking Member Manzullo and distinguished Members for inviting me to discuss with your subcommittee an important foreign policy issue facing our nation and the new administration. I commend the Committee for holding this hearing and asking the witnesses today to address the issue of Smart Power – for that is exactly what will be required of the administration in formulating its policy toward North Korea. In her confirmation hearing, Secretary Clinton emphasized the importance of Smart Power and indicated that the administration will have at its disposal the full range of diplomatic and, if necessary, military tools to reestablish American leadership throughout the world.

North Korea presents a special challenge, one that has evolved and become more dangerous over the past several years. Secretary Clinton and President Obama have indicated that they continue to value the Six Party process and will enhance cooperation and coordination with our allies South Korea and Japan as well as the other partners in the process. That is a good start. But let me suggest that while the 6 Party process has focused on capping future plutonium production and eventually going beyond the 1994 Agreed Framework to permanently dismantle North Korea’s nuclear facilities, it has failed to adequately address proliferation concerns. In “World at Risk: The Report of the Commission on the Prevention of WMD Proliferation and Terrorism,” the Commission concluded that unless the world community acts decisively and with great urgency, it is more likely than not that a weapon of mass destruction will be used in a terrorist attack somewhere in the world by the end of 2013. The Commission recommended:

As a top priority, the next administration must stop the Iranian and North Korean nuclear weapons programs. In the case of North Korea, this requires the complete abandonment and dismantlement of all nuclear weapons and existing nuclear programs. If, as appears likely, the next administration seeks to stop these programs through direct diplomatic engagement with the Iranian and North Korean governments, it must do so from a position of strength, emphasizing both the benefits to them of abandoning their

nuclear weapons programs and the enormous costs of failing to do so. Such engagement must be backed by the credible threat of direct action in the event that diplomacy fails.ⁱ

The question of North Korea's uranium enrichment activities has not been addressed, nor has North Korea been held accountable for its proliferation of nuclear reactor technology to Syria that was intended to allow it to produce a plutonium-based nuclear weapon.

In a post 9-11 world, the security of the United States and its allies with which we have Mutual Defense Treaty obligations cannot be assured by sequential steps over several years.

Unfortunately, the Six Party process, unless modified to accommodate all of our WMD concerns, has put us on a slow, incremental path that ultimately does not guarantee the denuclearization of North Korea. Specifically, I am concerned that the announced next phase of the Six Party process (Phase III) will be significantly more difficult than the yet-to-be-completed Phase II. Phase III, as you know, is the dismantlement of North Korea's nuclear facilities at Yongbyon. While dismantlement may well be part of the ultimate (irreversible) solution, it does not really get us any closer to our goal of actual denuclearization and it does not substantially improve the reality that disablement under Phase II has already capped North Korea's plutonium production capability. While I accept that Pyongyang could repair the disabled facilities at Yongbyon over time, I submit that a serious attempt by North Korea to do so would terminate the Six Party process and fundamentally change the attitudes of the other Six Party members. Do we really want North Korea to continue thinking of itself as a nuclear weapons state as we negotiate for the dismantlement of the facilities that are already shut down and disabled? It will make the final decision to give up fissile material and weapons that much harder.

If left to play out in the manner that appears most likely, Pyongyang will maintain control over the agenda and pace of the 6 Party process, reinforcing concerns that it is not yet ready to move in a systematic manner to a fully verifiable denuclearization that includes transparency involving its HEU program and its proliferation activities with Syria. I see no substantive reason to enter into a Phase III negotiation over dismantlement. It will most likely turn out to be an unnecessary waste of several years of negotiations. Both sides should move directly to what we both actually want: removal of fissile material and nuclear weapons from the DPRK in exchange for normalization. That may not sound very palatable at first offering, but North Korea has been clear with U.S. negotiators and directly with me last April – Pyongyang does not intend to discuss, let alone give up its nuclear weapons in Phase III. It intends to hold onto them as long as possible. It is in our interests to move boldly toward the end game as quickly as possible. As part of the condition for skipping the dismantlement phase, both parties should agree that the current status of disablement remains intact. In revamping the Six Party agenda, a path to resolving our concerns over HEU and Syria-related proliferation activities must be found. By agreeing to move directly to discussions over normalization, issues that previously were put off for the sake of momentum must now be captured as part of the normalization agenda. In that regard, normalization should be all encompassing. That means we should have no hesitancy in discussing our concerns about Pyongyang's Human Rights shortcomings. Non-proliferation Treaty (NPT) exceptions for Pyongyang should cease and we should insist on a normal and active role for IAEA inspectors.

What I am suggesting is a more robust bilateral discussion between Washington and Pyongyang, while remaining in the overall framework of the Six Party process. This places a leadership responsibility on the United States that I believe is best accomplished by the appointment of a Senior Envoy who would navigate the complexities and interests of the many agencies that contribute to the development of a cohesive U.S. policy toward North Korea. Fortunately, from what I can tell of the announced and presumed nominees for key positions among the various agencies and departments who will be charged with dealing with North Korea, there is a professionalism, competence and collegiality among them unlike that I have seen in a very long time. I am confident that the Envoy will have the full support and appropriate guidance of the President and Secretary of State. Because there is actual value in the Six Party process, the Envoy would have the concurrent requirement to assist the Secretary of State in coordinating the common goals and objectives of the other members of the Six Party process, particularly those of Seoul and Tokyo. Both the President and Secretary of State have emphasized the importance of consulting our allies. The North Korean problem requires we understand our allies concerns and be able to create a synergistic effect to maximize the probability for success. The promise of the Six Party process has not yet been fulfilled. We have not taken the requisite time to forge the Washington-Seoul-Tokyo consensus that is so necessary for us to be able to actually speak with one voice. We need to recapture that moment in history 10 years ago when the Trilateral Cooperative and Oversight Group (TCOG) was first organized and trilateral objectives toward North Korea were agreed upon.

The Commission on the Prevention of WMD Proliferation and Terrorism's recommendation that engagement must be backed by the credible threat of direct action in the event that diplomacy fails will remain theoretical in the case of North Korea unless that is also a conclusion that is reached by the government of South Korea and supported by the people of South Korea. While the likelihood of achieving that concurrence is virtually nonexistent, the necessity of coordinating all aspects of our policy approach toward North Korea with Seoul is paramount. We cannot hope to succeed in our goal of denuclearization of North Korea without the full support of our close allies. An important challenge the United States will face in the coming months will be to assist and, where necessary, to insist that dialogue and relations between North and South Korea improve as dialogue and relations between the United States and North Korea improve. It is not productive or reasonable for inter-Korean relations to deteriorate as U.S.-North Korean relations improve.

The same is true for Japan-North Korea relations. Tokyo is looking carefully at the new administration and will want to know that we continue to value Japan's participation in the Six Party process. Specifically, Tokyo needs reassurance that the Obama administration fully understands the emotional and political sensitivity of the abduction issue in light of the removal of North Korea from the List of State Sponsors of Terrorism last October. Tokyo argued against the delisting of Pyongyang because of a fear of losing leverage on North Korea on the abduction issue. As the U.S. moves forward in engaging North Korea, we must be mindful of this concern as well as Tokyo's security concern over Pyongyang's missile program.

One of the casualties of focusing exclusively on capping the North's plutonium program has been the absence of a discussion about Pyongyang's maturing missile program since November

2000. Cessation of Pyongyang's indigenous missile development along with their assistance to other countries must be part of our overall policy approach toward North Korea.

The challenges are great and the outcome is uncertain, but the requirement that we use Smart Power to the fullest is unquestioned. Failure to denuclearize North Korea is not an option.

I look forward to answering your questions.

ⁱ "WORLD AT RISK: The Report of the Commission on the Prevention of WMD Proliferation and Terrorism," Vintage Books, A Division of Random House, Inc., New York. pp xxii-xxiii.